IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

AS.No. 95 of 1997(E)

OS.286/1989 of PRL.SUB COURT,KOTTAYAM
.....

APPELLANT/PLAINTIFF:

MUTHOOTTU MINI FINANCIERS CHITTY FUND, REGD. PARTNERSHIP FIRM, OFFICE AT 15/1 ALFRED STREET, RICHMOND TOWN, BANGALORE, ADMINISTRATIVE OFFICE AT KOZHENCHERRY, REP. BY M.MATHEW RESIDING AT MUTHOOTTU HOUSE, KOZHENCHERRY AND ROY M.MATHEW, RESIDING AT -DO-

BY ADV. SRI.S.V.BALAKRISHNA IYER (SR.)
SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN
SRI.P.GOPINATH
SRI.PARAMESWARAN

RESPONDENTS/DEFENDENTS:

1.MRS.MOLLY, THAYIL HOUSE, KOTTAYAM.

2.DR.V.SASIDHARAN, VALLABHASSERIL, AREEPARAMBUVIJAYAPURAM, KOTTAYAM (VETERINARY SURGEON) DO. HOSPITAL AREEPARAMBU).

3.KURUVILLA GEORGE, VALIYAPARAMBIL, PUTHUPALLY KOTTAYAM (LIBRARIAN, CMS COLLEGE, KOTTAYAM).

4.P.K.MATHAI, INCHAKKADU HOUSE, VEROOR, PAMPADY (PROFESSOR) OF ENGLISH, C.M.S. COLLEGE, KOTTAYAM.

5.DR.S.NARAYANAN POTTY, DEPUTY DIRECTOR (AGRONOMY) RUBBER BOARD, KOTTAYAM.

6.PHILIP JOHN, THOPPIL, PUTHENPURAYIL, NATTASSERY VIJAYAPURAM, KOTTAYAM (CHIEF COFFEE INSPECTOR, COFFEE BOARD, KOTTAYAM).

7.MR.THIRUVANCHOOR RADHAKRISHNAN, ADVOCATE THIRUVANCHOOR HOUSE, KOTTAYAM.

8TH RESPONDENT/DEFENDANT IS NOT MADE A PARTY BECAUSE HE IS REMOVED FROM THE PARTY ARRAY VIDE ORDER IN I.A.NO.302/1991)

BY ADV. SRI.V.G.ARUN. FOR R7
SRI.MATHEW JOHN (K) FOR R1, R3, R4 AND R5

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

A.S.NO.95 OF 1997 (E)

Dated this the 4th day of July, 2007

J U D G M E N T

KOSHY,J.

A Division Bench of this Court on 18.6.2007 passed the following order:

> "In case the defects are not cured within 10 days from today, the appeal will stand dismissed."

So far defects were not cured. More than three weeks are over. Hence appeal is dismissed for default.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

A.S.NO.95 OF 1997 (E)

J U D G M E N T

4th July, 2007